

SEVENTY-NINTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative Herman Wolfe of Hardin County.

Representative Wolfe led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 84

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--84.

The Speaker announced that Representative Moody was excused because of business.

The Speaker announced that Representative Stafford was excused because of illness.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.:

1911--"General Appropriations Bill"; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos:

254--Relative to memory, Andrew L. Alexander, Maryville;

255--Relative to honoring Carl A. Jones; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

CALENDAR

House Bill No. 1794--General Appropriations Bill.

On motion, House Bill No. 1794 was made to conform with Senate Bill No. 1911.

On motion, Senate Bill No. 1911, on same subject, was substituted for House Bill No. 1794.

Mr. Henry moved that Senate Bill No. 1911 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1911 by deleting each and every section of Senate Bill No. 1911 and substituting instead new sections 1 through 50, namely:

Sections 1 through 50 of House Bill No. 1794 as introduced on March 14, 1984; printed and distributed as House Bill No. 1794; and considered to be part of this amendment.

On motion, the amendment was adopted.

Mr. Owen asked to be recorded as voting "No" on Amendment No. 1 to SB 1911.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1911 by deleting in the second paragraph of Section 1, Title III-26 the word and figure "Title III-26" and by substituting instead the words and figure "Section 1, Title III-26".

AND FURTHER AMEND by deleting in item 1 of Section 3 the words and figures "Title III-11 and Title III-16" and by substituting instead the words and figures "Section 1, Titles III-11 and III-16".

AND FURTHER AMEND by deleting in the last sentence of item 1 of Section 3 the word "act" and by substituting instead the word "paragraph".

AND FURTHER AMEND by deleting in item 8 of Section 11 the words "State Board of Elections" and by substituting instead the words "State Election Commission".

AND FURTHER AMEND by deleting in item 15 of Section 11 the figure "49-27-107" and by substituting instead the figure "49-11-104".

AND FURTHER AMEND by deleting in item 21 of Section 11 the word "provisions" and by substituting instead the word "provision".

AND FURTHER AMEND by deleting in item 21 of Section 11 the words and figures "Title 49, Chapter 5" and by substituting instead the words and figures "Title 49, Chapter 2, Parts 20 and 21".

AND FURTHER AMEND by deleting in the first sentence of Section 13 the word "act" and by substituting instead the words "act, the public welfare requiring it".

AND FURTHER AMEND by deleting in the first sentence of Section 21 the word "passage" and by substituting instead the words "passage of this act, the public welfare requiring it".

AND FURTHER AMEND by deleting in the first sentence of Section 28 the words and figures "Title 49, Chapter 29" and by substituting instead the words and figures "Title 49, Chapter 10".

AND FURTHER AMEND by deleting in the last sentence of Section 30 the words "Bond and Construction Fund" and by substituting instead the words "Capital Projects Fund".

AND FURTHER AMEND by deleting in Section 35 the word "act" and by substituting instead the words "act, the public welfare requiring it".

AND FURTHER AMEND by deleting in Section 40 the figure "49-1314" and by substituting instead the figure "49-3-312".

AND FURTHER AMEND by deleting in item 2 of Section 41 the word and figure "Title III-7" and by substituting instead the word and figure "Title III-17".

AND FURTHER AMEND by deleting in the first sentence of Section 42 the word "provision" and by substituting instead the word "provisions".

AND FURTHER AMEND in Section 43 by deleting the word and figures "III-1-1, items 3," and by substituting instead the word and figures "III-1, items 1, 3,".

AND FURTHER AMEND by deleting in Section 44 the words "Upon passage of this act" and by substituting instead the words "Upon passage of this act, the public welfare requiring it".

AND FURTHER AMEND by deleting in item 6 of Section 44 the words and figures "Chapter 54, Title 49" and by substituting instead the words and figures "Title 49, Chapter 4, Part 5".

AND FURTHER AMEND by deleting from Section 1. III-1, the following words and amounts:

1. Attorney General and Reporter			
1.1	Attorney General and Reporter	\$	2,768,600
1.2	Publication of Tennessee Reports		183,300
1.3	Special Litigation		100,600
1.4	Attorney's Fees-Federal Civil Rights		
	Cases		715,300
Total Attorney General and			
	Reporter	\$	3,767,800

and substituting in lieu thereof the following new words and amounts and changing the subtotals and totals appropriately:

1. Attorney General and Reporter			
1.1	Attorney General and Reporter	\$	3,418,600
1.2	Publication of Tennessee Reports		183,300
1.3	Special Litigation		100,600
1.4	Attorney's Fees-Federal Civil Rights		
	Cases		715,300
Total Attorney General and			
	Reporter	\$	4,417,800

The increase of six hundred fifty thousand dollars (\$650,000) in the appropriation to the Attorney General and Reporter in Section 1, Title III-1, item 1.1 shall not be used to supplement the ten percent (10%) salary improvement and classification-compensation funds which are appropriated elsewhere in this Act and in Public Chapter 14 of the First Extraordinary Session of 1984.

AND FURTHER AMEND by deleting from Section 1, III-1, the following words and amounts:

2.4	IV-D Child Support Program	655,800
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and substituting instead the following new words and amounts and changing the subtotals and totals appropriately:

2.4 IV-D Child Support Program 709,000

FURTHER AMEND by deleting from Section 4, III-1 the following words and amounts:

2.2 IV-D Child Support Program 1,530,200

and substituting in lieu thereof the following new words and amounts and adjusting subtotals and totals appropriately:

2.2 IV-D Child Support Program 1,654,400

AND FURTHER AMEND by deleting Section 1, Title III-21, item 1.8 which reads as follows:

1.8 Tennessee Association of Rescue
Squads 60,000.00

and by substituting instead the following and adjusting all subtotals and totals accordingly:

1.8 Tennessee Association of Rescue
Squads 65,000.00

The increase of five thousand dollars (\$5,000) in the appropriation to the Tennessee Association of Rescue Squads in Section 1, Title III-21, item 1.8 is subject to approval of the commissioner of finance and administration.

AND FURTHER AMEND by deleting from Section 1, Title III-16 the following items:

"3.7 Division of Surface Mining 1,503,300.00
3.8 State Abandoned Land Program 1,021,000.00"

and substitute instead the following items and change the totals accordingly:

"3.7 Division of Surface Mining 1,105,000.00
3.8 State Abandoned Land Program 666,000.00"

AND FURTHER AMEND by deleting from Section 4, Title III-17 the following item:

"3.7 Division of Surface Mining 1,873,700.00"

and substitute instead the following item and change the totals accordingly:

"3.7 Division of Surface Mining 303,800.00"

AND FURTHER AMEND by deleting from Item 10 of Section 11 the words and figures "one thousand one hundred forty-five dollars (\$1,145.00)" and substituting in lieu thereof the words and figures "one thousand two hundred sixty dollars (\$1,260.00)".

AND FURTHER AMEND by adding the following new items at the end of Section 11:

Item _____. The unexpended funds appropriated for legislative computer services by the provisions of items 16 and 17 of Section 12 of Chapter 503 of the Public Acts of 1981 shall not revert to the general fund on June 30, 1984 but shall remain available for the purposes appropriated for expenditure in accordance with such provisions of such act.

Item _____. From the appropriation made for Centers of Excellence in Section 2, Title II-1.4, Chapter 14 of the Public Acts of 1984, First Extraordinary Session, there is appropriated the sum of two hundred thousand dollars (\$200,000) to Austin Peay State University for the sole purpose of developing a Center of Excellence in applied health sciences. The funds for the appropriation made in this item shall be generated by reducing the sum allocated to each of the other Centers of Excellence programs by two percent (2%). The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item _____. From the funds appropriated to the department of tourist development by the provisions of this act, there is earmarked the sum of one thousand dollars (\$1,000) to the Tennessee Mothers Association.

Item _____. The Tennessee foundation program shall be increased by \$1,600,000 by transferring that sum from the \$4,500,000 appropriation made by Chapter 14 of the Public Acts of the 1984 First Extraordinary Session for the Vocational Education Center Project. This \$1,600,000 appropriation shall be used for the purpose of maintaining the secondary vocational education program cost differential factor and the current standard as established by Tennessee Code Annotated, Section 49-3-306, with WFTEADA computed at the 90% level. No reduction in other funding of secondary vocational education programs shall be made on account of this appropriation, it being the intent of the general assembly that this appropriation be used for the purpose herein stated. The commissioner of education shall report to the House and Senate Finance, Ways and Means Committees on the allocation, distribution and expenditure of such funds.

Item _____. From the funds made available in this Act to the State Building Commission and/or to the Department of Finance and Administration, there is hereby allocated a sum sufficient to conduct a study on the feasibility of constructing an athletic stadium which would be used by affected Higher Educational

Institutions in Davidson County. This study shall be conducted by representatives of the affected Higher Educational institutions, representatives of metropolitan Government - Davidson County, and such other persons as the State Building Commission shall designate.

Item _____. From the funds available to the department of mental health and mental retardation, there is earmarked seventy thousand dollars (\$70,000) for the Jackson Area Council on Alcohol and Drug Dependency (JACO).

Item _____. From the funds appropriated to the division of property assessments or to the state board of equalization by the provisions of Chapter 403 of the Public Acts of 1983, there is hereby earmarked a sum sufficient to fund the additional compensation for assessors and deputy assessors pursuant to the provisions of Senate Bill No. 1654/House Bill No. 1589 (Chapter ___, Public Acts of 1984).

Item _____. From the funds appropriated to the division of property assessments or to the state board of equalization by the provisions of this act, there is hereby earmarked a sum sufficient to fund the additional compensation for assessors and deputy assessors pursuant to the provisions of Senate Bill No. 1654/House Bill No. 1589 (Chapter ___, Public Acts of 1984).

Item _____. Notwithstanding any provision of this act to the contrary, no funds shall be appropriated or expended which would result in the opening of Vanosdale Road to Kingston Pike in Knox County.

Item _____. There is appropriated to the State Building Commission an amount not to exceed one million dollars (\$1,000,000.00). From this sum there is appropriated five hundred and twenty-five thousand dollars (\$525,000.00) for the sole purpose of building a plant pest identification and disease diagnosis laboratory at the Ellington Agricultural Center. From this sum there is further appropriated four hundred seventy five thousand dollars (\$475,000.00) to be used for the sole purpose of establishing a tree nursery in eastern Tennessee. The funds appropriated by this item shall not revert to the general fund on June 30, 1984, or on any June 30 thereafter and such funds shall remain available until expended or obligated. The appropriation made in this item is subject to the approval of the State Building Commission.

Item _____. To implement the program of child abuse prevention and family violence shelter funding under P.C. ____ (SB 1674/HB1603), from the funds generated by such act, there is hereby appropriated to the department of human services the amount of six hundred thousand dollars (\$600,000).

Item _____. From the funds appropriated to the department of conservation by the provisions of this act, there is earmarked the sum of one hundred thousand dollars (\$100,000) for the sole purpose of construction of a swimming pool at Indian Mountain State Park.

Item _____. From funds appropriated to the department of transportation, there is hereby earmarked the sum of one million dollars (\$1,000,000) for the sole purpose of widening and improving U.S. Highway 11E from its intersection with State Route 36 to the proposed location of U.S. Highway 11E Bypass. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item _____. From the funds appropriated in Section 1, Title III-16, item 6.2 and Section 4, Title III-17, item 6.2 of this act to "Medicaid Services", there is hereby earmarked sufficient funds to pay the following relative to drugs furnished to Medicaid patients:

1. a. Actual acquisition cost of drugs, except drugs described in 2. below, plus a professional fee of three dollars and forty-five cents (\$3.45) per prescription; or

- b. The usual and customary drug charge to the general public, whichever is less.

2. Drugs for which the Department of Public Health and/or the federal government have published maximum reimbursement prices to include the acquisition cost or the maximum reimbursement price, whichever is less, plus the professional fee of three dollars and forty-five cents (\$3.45) per prescription, or the usual and customary charge to the public, whichever is less.

Item _____. From the funds made available in this act to the State Building Commission for major maintenance and equipment and/or from the funds made available in this act to the Department of Finance and Administration for major maintenance and equipment, there is hereby earmarked an amount not to exceed seventy-five thousand dollars (\$75,000) to improve the auditorium in the State Office Building in Chattanooga to enable additional court hearings and/or proceedings to be held in such auditorium and to permit administrative procedures hearings to be held in such auditorium. The appropriation made in this item is subject to the approval of the state building commission.

Item _____. From the funds appropriated to Lakeshore Mental Health Hospital in the Department of Mental Health and Mental Retardation in Section 1, Title 111-14, 2.5, there is hereby earmarked a sum sufficient to fund, maintain, and retain the Riverbend Autistic Program at Lakeshore Mental Health Hospital. No funds appropriated by this act shall be used for moving said

program from said hospital or contracting with a private agency to manage or perform the functions currently included in the Riverbend Autistic Program.

Item _____. That from the appropriations made under Chapter 403, Public Acts of 1983, to the Department of Legislature, any unexpended funds shall be carried forward in a reserve into the fiscal year beginning July 1, 1984 for expenditure in that year, subject to the approval of the Speaker of the Senate and the Speaker of the House of Representatives.

Item _____. The appropriation to the Hazardous Waste Remedial Action fund in the department of health and environment is hereby reduced by the sum of one million dollars (\$1,000,000).

Item _____. From the funds appropriated to the department of correction by the provisions of this act, there is earmarked the sum of two hundred ninety-six thousand three hundred eighty-five dollars (\$296,385) to fund the provisions of Senate Bill 1812/House Bill 1654. This item is subject to Senate Bill 1812/House Bill 1654 becoming a law.

Item _____. From the funds appropriated to the department of correction to fund fifty-one (51) new positions, a sum sufficient to fund fifteen (15) positions is hereby appropriated to fund the provisions of Senate Bill 1812/House Bill 1654. This item is subject to Senate Bill 1812/House Bill 1654 becoming a law.

Item _____. From funds appropriated to the Department of Economic and Community Development, there is appropriated \$2,000,000 to the Tennessee Technology Foundation. Said appropriation shall be used by the Tennessee Technology Foundation for the benefit of the community and for the purposes contained in House Bill No. 1462/Senate Bill No. 2092 as enacted.

The Comptroller of the Treasury is authorized to audit the Foundation to insure that proper records are kept and that the matching funds are expended for the purposes for which the Foundation is established.

The funds appropriated pursuant to this act shall not revert to the general fund on any June 30 but shall remain available until obligated or expended.

Item _____. From the funds appropriated by the provisions of this act to the department of transportation, there is earmarked the sum of fifty-four thousand dollars (\$54,000) to the Town of Adamsville to reimburse such town pursuant to a contract with the state through the department of transportation entered into on February 28, 1978.

AND FURTHER AMEND by adding the following new items at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of six hundred thousand dollars (\$600,000) to the West Tennessee Agricultural Museum Association, Inc. for the purpose of construction and operation of a museum at Milan, Tennessee. to exhibit the collection of agricultural machinery and implements from the estate of Mr. Tom McCutchen. The appropriation made in this item shall not revert at the end of any fiscal year but shall remain available until expended in accordance with the provisions of this item.

Item _____. In addition to any other appropriation made in this act, there is hereby appropriated to the Tennessee Department of Agriculture for soil conservation technical assistance the sum of two hundred thousand dollars (\$200,000). Such sum shall be divided equally among the ninety-five (95) counties.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-two thousand five hundred dollars (\$22,500) to be allocated as follows:

Beech River Watershed Development Authority	\$	7,500
Tennessee Elk River Development Agency	\$	7,500
Tennessee Upper Duck River Development Agency	\$	7,500

The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item _____. There is hereby appropriated to the Wildlife Resources Agency one million one hundred thousand dollars (\$1,100,000) out of the Wildlife Resources Fund for the purpose of acquiring the White Oak Swamp Land.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the city of Knoxville to be allocated and expended as follows:

- (1) Fifty thousand dollars (\$50,000) for maintenance and repair of fountain city park, including restocking, repair and maintenance of fountain city lake and repair and maintenance of park facilities and lands; and
- (2) Fifty thousand dollars (\$50,000) to maintain, repair and restock Chilhowee Lake. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item _____. There is hereby appropriated the sum of sixty-seven thousand six hundred twenty-nine dollars (\$67,629) to the Department of Conservation to contract with the Memphis State University for a study. This appropriation shall be in addition to all other funds appropriated, allocated, or available to the Department of Conservation or the Memphis State University.

The study shall be conducted by the university through its Bureau of Business and Economic Research, Institute for Engineering Research, and Regional Economic Development Center to determine:

1. The feasibility of connecting the Meeman-Shelby Forest State Park with the Mud Island Park and River Museum through a Mississippi River transportation system.

2. Alternative development plans which would satisfy the need and demand for such facilities.

3. Benefit/cost ratios for each proposed alternative development plan.

The schedule for the research activities will not be limited to the following:

A. Market analysis: Need and demand for lodging and recreation facilities at Meeman-Shelby Forest Park

B. Potential for a riverboard excursion axis between downtown Memphis and Meeman-Shelby Forest Park

C. Logical mix of facilities and services of resort hotel

D. Site selection and design concept

(1) Site selection criteria

(2) Identification of alternative sites

(3) Physical characteristics of each site

(4) Recommendation and justification for ranking sites

(5) Design concept

E. Site development plan

F. Meeman-Shelby Forest Park Lodge--develop estimates of engineering and construction costs for alternative lodge designs

G. Boat docking facility--develop and analyze alternative locations and designs for boat docking facilities. Estimate costs for these alternative designs.

H. Transportation systems--develp and analyze alternative methods of providing river transportation between Mud Island and Meeman-Shelby Forest Park

I. Economic benefits

(1) Primary benefits

- a. User benefits**
- b. Sales tax benefits**

(2) Secondary benefits

- a. Employment**
- b. Taxes**

J. Project costs and revenues - Lodge

K. Project costs and revenues - Transportation system

L. Benefit/cost estimates for alternate plans

(1) Lodge

(2) Transportation system

The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the department of conservation the sum of three hundred thousand dollars (\$300,000) for the sole purpose of renovation, restoration, maintenance and repair at Booker T. Washington State Park, including: boat docks, and boat slips, pavilions with picnic tables, a recreation and entertainment pavilion and construction of an additional picnic area north of the swimming pool. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item _____. In addition to funds appropriated elsewhere in this act, there is hereby appropriated the sum of fifty thousand dollars (\$50,000) to the Obion-Forked Deer Basin Authority for the sole pupose of defaying expenses associated with the construction of a silt retention lake in the Kirby Pocket region adjacent to Reelfoot Lake. Expenditure of the funds appropriated herein shall be subject to approval by the State Building Commission.

Item _____. In addition to funds appropriated elsewhere in this act, there is hereby appropriated the sum of one hundred

one thousand dollars (\$101,000) to the Department of Conservation to defray expenses associated with completion of the Samburg/Tiptonville Wastewater Treatment System. Expenditure of the funds appropriated herein shall be subject to approval by the State Building Commission.

Item _____. In addition to funds appropriated elsewhere in this act, there is hereby appropriated the sum of fifty-two thousand eight hundred dollars (\$52,800) to the Division of Water Management, Department of Health and Environment to provide state matching funds for completion of the United States Geological Survey's water budget study project at Reelfoot Lake.

Item _____. In addition to funds appropriated elsewhere in this act, there is hereby appropriated one hundred thirty thousand dollars (\$130,000) from the general fund of the state of the Tennessee Wildlife Resources Agency for acquisition of a buffer zone along the shoreline of Reelfoot Lake from Keystone Park to Champey Pocket and for acquisition of another buffer zone along the Reelfoot Lake shoreline of eight (8) parcels of land located off South Shore Drive north of Boardman's Resort and owned collectively by Mrs. LaVergne Victory, Mr. Johnny Ashelle, and Mr. Tommy Victory.

Item _____. In addition to funds appropriated elsewhere in this act, there is hereby appropriated twenty-five thousand dollars (\$25,000) to the Department of Conservation for acquisition of Indian burial mound archaeological sites located within the Reelfoot Lake Watershed.

Item _____. In addition to funds appropriated elsewhere in this act, there is hereby appropriated fifteen thousand dollars (\$15,000) from the general fund of the state of the Tennessee Wildlife Resources Agency for the purchase of three (3) water monitoring devices for use at Reelfoot Lake.

Item _____. In addition to funds appropriated elsewhere in this act, there is hereby appropriated the sum of two hundred thousand dollars (\$200,000) to the Department of Agriculture for development and implementation of a soil conservation program to promote cultivation of alfalfa hay within the soil conservation districts surrounding Reelfoot Lake.

Item _____. In addition to funds appropriated elsewhere in this act, there is hereby appropriated the sum of one hundred thousand dollars (\$100,000) to the Division of Water Management, Department of Health and Environment for continued water quality research at Reelfoot Lake including, but not necessarily limited to, sample collection, analysis and interpretation; fish tissue monitoring; hydrologic study; and cesium-137 sedimentation work.

Item _____. In addition to any other funds appropriated by the provision of this act, there is hereby appropriated to the

State Building Commission the sum of seven hundred fifty thousand dollars (\$750,000) for the sole purpose of land acquisition at the Tri-Cities State Technical Institute. The appropriation made in this item shall be released to the State Board of Regents only after funds raised locally for this same purpose are sufficient to complete the total amount required to effectuate the acquisition. It is the legislative intent that in no case shall the State contribute more than seven hundred fifty thousand dollars (\$750,000) nor more than seventy-five percent (75%) of the total cost of acquiring this land.

Item _____. There is hereby appropriated the sum of one hundred fifty thousand dollars (\$150,000.00) to the division of county audit which shall be in addition to all other appropriations made to the division and which shall be used of the sole purpose of developing a computerized accounting and financial information system for county governments in Tennessee. This appropriation is made to accomplish the requirements of Tennessee Code Annotated, Section 5-8-501, which requires the comptroller of the treasury to devise an accounting system to be used by all county officials and agencies receiving state funds and to prescribe the minimum standards for such system.

A nine-member advisory committee shall assist in developing the sytem; such committee will consist of representatives of the division of county audit; the department of education; the local government data processing corporation; county technical assistance service; the municipal technical advisory servie; and four (4) representatives from county governments, selected by the chairmen of the senate and house finance, ways and means committees.

Item _____. There is hereby appropriated to the Commission on Aging the sum of one hundred thousand dollars (\$100,000) to be used solely and exclusively for the Retired Senior Volunteer Program (R.S.V.P.). This appropriation shall be in addition to all other appropriations made to the Commission on Aging. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item _____. There is hereby appropriated the sum of three hundred five thousand dollars (\$305,000.00) to the Department of Mental Health and Mental Retardation for the Community Mental Retardation Programs; it being the legislative intent to provide a one million dollar increase in state funds for these programs over the 1983-84 budget.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two million two hundred fifteen thousand dollars (\$2,215,000) to implement the provisions of Senate Bill No. 1798 (HB 1577) relative to increasing minimum retirement benefits of certain teachers, state employees and local government employees. The

appropriation made in this item shall not take effect unless Senate Bill No. 1798 (HB 1577) becomes law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ninety-four thousand forty dollars (\$94,040) to Tennessee Technological University and the sum of one hundred eighty-seven thousand dollars (187,000) to the University of Tennessee to fund agricultural research and extension services in accordance with the provisions of Senate Bill No. 1727 (HB 2000).

Item _____. There is hereby appropriated to the state funding board the sum of five hundred thousand dollars (\$500,000) for a loan guarantee revolving fund to implement the provisions of the Emergency Financial Aid to Local Government Law of 1984 Chapter of the Public Acts of 1984 (SB 2152, HB 2181). Such funds shall be expended only for the purpose of payment of a loan guaranteed pursuant to such act. This appropriation shall be effective only upon SB 2152, HB 2181 becoming law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the University of Tennessee Research Department for the sole use of the bull testing station at Columbia, Tennessee. The Test Station Committee, Dean of Experiment Stations, and the Dean of Extension Service must all mutually agree on any expenditures that have to do with design, redesign, improvements, additions or maintenance of any Bull Test Station.

Item _____. In addition to any other funds appropriated by this act, there is hereby appropriated the sum of \$21,818,500 from state appropriations, federal grant funds and other departmental revenue to implement the provisions of Public Chapter _____ (SB1799/HB 1605), Public Acts of 1984, such funds to be distributed as follows:

To the Department of Health and Environment to cover the increased costs in the medicaid program,

\$7,066,200 federal grant funds

2,922,500 state appropriations

\$9,988,700 total

To the Department of Human Services to cover the increased costs of grants and administration in the Aid to Families with Dependent Children program,

\$ 8,255,700	federal grant funds and other departmental revenue
<u>3,574,100</u>	state appropriations
\$11,829,800	total

The Commissioner of Finance and Administration shall allocate the funds appropriated to the individual program allotment codes within each department.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the historical commission for the sole purpose of restoring the confederate soldier monument located in Winstead Cemetery on Bethel Street in Knoxville.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated to Tennessee Technological University the sum of twelve million dollars (\$12,000,000) for the planning, acquisition, erection, construction and equipment of a library at such university.

Item _____. In addition to any other funds appropriated to the office of the Secretary of State, there is hereby appropriated eleven thousand four hundred dollars (\$11,400) to fund one (1) new secretarial position.

Item _____. In addition to any other funds appropriated to the State Library and Archives, there is hereby appropriated one hundred six thousand eight hundred dollars (\$106,800) to fund seven (7) new positions.

Item _____. In addition to any other funds appropriated to the regional libraries, there is hereby appropriated one hundred seventy thousand dollars (\$170,000) to fund ten (10) additional positions.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated one hundred fifteen thousand five-hundred twenty (\$115,520) to the judicial budget in Title II of Section 1. This funding shall be allocated as follows:

1. Eighty thousand five hundred and twenty dollars (\$80,520) for the Appellate and Trial Courts for the sole purpose of providing:

- (a) a secretarial position for the 9th Judicial Circuit,

- (b) Certiorari Clerk for the Supreme Court,

(c) To provide continuing judicial and legal education for judges,

2. Fourteen thousand dollars (\$14,000) for Verbatim Transcripts for the sole purpose of providing one (1) additional Court Reporter for the 10th Judicial Circuit.

3. Ten thousand dollars (\$10,000) for State Law Libraries for the sole purpose of maintaining the same.

4. Seven thousand five hundred dollars (\$7,500) for Court System Administration for the sole purpose of providing Data Processing improvements for the Tennessee Judicial Information System.

5. Three thousand five hundred dollars (\$3,500) for the Board of Law Examiners for the sole purpose of providing shelf filing equipment.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of twenty-two thousand two hundred dollars (\$22,200) to the Comptroller of the Treasury for the sole purpose of funding a Senate and House Finance, Ways and Means Committees' staff support position.

Item _____. In addition to any other funds appropriated by the provisions of this act there is appropriated to the department of health and environment the sum of two hundred fifty thousand dollars (\$250,000) to be used for the sole purpose of matching federal funds allocated to the Baxter Water Utility District for the extension of the water line to serve the rest stop on I-40 in Smith County so that additional water service may be provided the citizens of that area. The appropriation made in this item shall be effective only if the application by the county of Putnam for a grant to fund the costs of such additional water service is not approved. The appropriation made in this item is subject to the approval of the commissioner of economic and community development.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-eight thousand dollars (\$38,000) to the department of health and environment for use in the treatment of epilepsy and aid to epileptics pursuant to the provision of Tennessee Code Annotated, Title 68, Chapter 49.

Item _____. In addition to any other funds appropriated by the provision of this act, there is appropriated a sum not to exceed one million eight hundred thousand dollars (\$1,800,000) to the University of Tennessee at Chattanooga for the purpose of acquiring property adjacent to such university. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to Memphis State University for the development and expansion of the gerontology program offered in the department of education and recreation.

Item _____. In addition to any other appropriation made in this act, there is hereby appropriated an amount of eighty thousand dollars (\$80,000) to carry out the provisions of Senate Bill 1489/House Bill 1594 relating to reimbursement by the State to counties for the boarding and lodging of criminal juries. This appropriation shall be effective only if Senate Bill 1489/House Bill 1594 is enacted into law.

Item _____. In addition to all other appropriations or allocations, there is hereby appropriated the additional sum of sixteen thousand five hundred dollars (\$16,500) to the John A. Gupton School of Mortuary Science. The appropriations made in this item is subject to the approval of the commissioner of finance and administration.

Item _____. There is appropriated to the department of conservation, division of parks, a sum sufficient not to exceed six hundred thousand dollars (\$600,000) to provide for extending the employment of one hundred eighty-five (185) park attendants from nine (9) months to twelve (12) months in fiscal year 1984-1985. The appropriation made in this item shall be nonrecurring. The commissioner of conservation shall report to the fiscal review committee on the implementation and efficacy of such employment extension.

Item _____. In addition to any other appropriation made in this act, there is hereby appropriated to the legislative branch an amount of four hundred fifty-four thousand and four hundred dollars (\$454,400) for the purpose of carrying out the provisions of Senate Bill 861/House Bill 949 (Public Chapter____) relating to legislative pay and allowances.

Item _____. In addition to any other funds appropriated by this act there is hereby appropriated an amount not to exceed ten thousand dollars (\$10,000.00) to the department of labor to provide annual salary increases to employees at the Tennessee Learning Center. Such annual salary increases shall comply with the provisions of the pay plan for state employees adopted in this act in accordance with Section 13 of Public Chapter 14 of 1984, First Extraordinary Session.

This appropriation is subject to approval by the Commissioner of Finance and Adminsitration.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one million thirty-one thousand three hundred fifty-four dollars

(\$1,031,354) to implement the provisions of Senate Bill No. 2062/House Bill No. 2146 (Public Chapter ___) to be allocated as follows:

(1) Department of Labor

(a) Medical Cost Commission	\$ 7,133
(b) Distributive Processing System	350,000
(c) Information Awareness Program	50,000
(d) Second Injury Fund	541,021

(2) Board of Claims 83,200

The appropriation made in this item shall only take effect if Senate Bill No. 2062/House Bill No. 2146 is enacted into law.

() In addition to other funds available to the department of mental health and mental retardation under this act, there is hereby appropriated three million dollars (\$3,000,000) for the provision of at least ninety (90) beds for residential care and treatment for substance abusing youth who would not otherwise be financially able to receive the service. These residential services shall provide twenty-four (24) hour a day, seven (7) day a week care to youth aged thirteen (13) to twenty-one (21) in each of the three (3) grand divisions of the state. The appropriation made in this item shall only take effect if Senate Bill No. 4 (HB 25) becomes law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the state building commission the sum of two hundred fifty thousand dollars (\$250,000). This appropriation is made on a one-for-one matching basis and any unspent balance remaining at the end of fiscal year 1984-85 shall be carried forward by the commission for the purpose stated herein. For every dollar contributed to the West Tennessee Agricultural Museum from private sources the commission shall contribute one dollar (\$1.00), the total state contribution but not to exceed the two hundred fifty thousand dollars (\$250,000) appropriated by this item.

Item _____. In addition to any other funds appropriated by this act, there is hereby appropriated to the department of economic and community development the sum of eighty five thousand dollars (\$85,000) to fund the provisions of Senate Bill 1595/House Bill 2032. This item is subject to Senate Bill 1595/House Bill 2032 becoming a law.

Item _____. There is hereby appropriated to the Tennessee Juvenile Justice Commission six hundred thousand dollars (\$600,000) to be allocated by the commission during fiscal year 1984-85 for the acquisition, erection, construction and equipment of sites and buildings, expressly including the acquisition of

existing structures, for expansion, improvement, betterments, and extraordinary repairs to existing structures for alternatives to adult jails for children. The commission may only make the proceeds available to a county or group of counties upon submission of both evidence of the county's or group of counties' ability to match equally the available state dollars and evidence of a county's or group of counties' need for such facilities. Priority shall be given to counties which propose the implementation of multi-county facilities. If any funds are unexpended during fiscal year 1984-85, they may be carried over into fiscal year 1985-86 for the same purposes. Counties may use a lease-purchase arrangement to fund their portion of any match required.

Item _____. In addition to any other appropriation made in this act, there is hereby appropriated to the State Treasurer an amount of \$4,500,000 for the purpose of funding expenditures of the various agencies of state government not otherwise provided for in this act. No funds may be obligated and/or expended under this item until the following conditions have been met:

1. The State Treasurer has received written comments and/or recommendations setting forth in detail the justification for such proposed expenditures from the Commissioner of Finance and Administration, the agency requesting the funds, and comments and/or recommendations relative to the proposed expenditures from the Fiscal Review Committee, and
2. The State Treasurer by letter to the Commissioner of Finance and Administration approves the proposed expenditure of such funds.

AND FURTHER AMEND by deleting Section 30 in its entirety and substituting a new Section 30 to read as follows:

SECTION 30. To the extent that state revenues of the general fund for the fiscal year ending June 30, 1984 exceed the requirements of such fund and after all other appropriations are made under the provisions of this Act, there is appropriated such excess amount to the Tennessee Consolidated Retirement System for distribution as follows:

- (1) All such excess revenues shall go first to fund the accrued liability for benefits to be paid to Aged Teachers and Aged State Employees under the provisions of TCA, Title 8, Chapter 39, Part 1; provided however, such shall be in lieu of any monies appropriated to fund these benefits under any other provisions of this Act;
- (2) Any excess revenues remaining after the provisions of (1) above are fully satisfied shall be paid to fund the "Bonus Cost-of-Living" paid in accordance with the provisions of TCA, 8-36-707; provided however, such shall be in lieu of any monies

appropriated to fund this benefit under any other provisions of this Act;

(3) Any excess revenues remaining after the provisions of (1) and (2) above have been satisfied shall be paid to fund the liability created by Senate Bill 1798 House Bill 1577 passed in 1984; provided however, such shall be in lieu of any monies appropriated to fund this benefit under any other provisions of this Act; and

(4) Any excess revenues remaining after the provisions of (1), (2) and (3) above have been satisfied shall be used to fund benefits provided by the TCRS and to reduce the period required to amortize the accrued liability of the trust fund.

The Commissioner of Finance and Administration is directed to transfer to the Tennessee Consolidated Retirement Systems any such excess amount.

AND FURTHER AMEND by adding the following new items at the end of Section 31:

Item _____. There is hereby transferred the sum of sixty thousand dollars (\$60,000) to the Reserve for Voting Machine Account for the sole purpose of providing loans to counties pursuant to voting machine loan agreements in accordance with the provisions of Tennessee Code Annotated, Title 2, Chapter 9, Part 1.

Item _____. There is hereby appropriated an amount of two million dollars (\$2,000,000) to the University of Tennessee at Martin for campus improvements. This appropriation is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following at the end of Item 1 of Section 37:

There shall be a minimum ten percent (10%) across-the-board pay increase for all support personnel effective July 1, 1984.

It is the legislative intent that each faculty member of the Board of Regents and the University of Tennessee shall receive at least an eight percent (8%) increase effective July 1, 1984, unless the most recent evaluation from the 1983-1984 school year is unsatisfactory and is present in the faculty member's personnel file.

AND FURTHER AMEND by adding a new item to Section 37 as follows:

Item ____.

In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to the State Board of

Regents the sum of ten thousand dollars (\$10,000) for the purpose of making campus improvements including but not limited to drainage, access roads, clearing of undergrowth, and a water connection to the baseball field on the Elber T. Gill, Jr. Campus of Shelby State Community College.

AND FURTHER AMEND by adding to Section 37 of the bill as introduced, a new item to read:

Item _____. The appropriations made under Section 1, Title III-10. Higher Education, shall be adjusted within each respective system to reflect revised retirement and social security funding estimates according to a schedule to be provided by July 1, 1984, by the Tennessee Higher Education Commission in consultation with the Board of Regents and the University of Tennessee and the State Treasurer. Said adjustments are subject to the approval of the Commissioner of Finance and Administration, and the Commissioner is authorized to transfer said appropriations according to such schedule.

AND FURTHER AMEND by adding after the last paragraph in Section 38 of the bill as introduced, the following amendatory language:

In addition to salary increases resulting from implementation of changes in the classification/compensation plan provided for elsewhere in this Act, employees in the state service shall receive salary increases as follows:

- a. There shall be a 2% across-the-board pay increase effective July 1, 1984;
- b. employees whose job performance is satisfactory and who have at least 24 months of state service as of July 1, 1984, shall receive a 2-step salary increase effective July 1, 1984;
- c. employees whose job performance is satisfactory and who have at least 12 months of state service as of July 1, 1984, shall receive a 1-step salary increase effective July 1, 1984, and they shall receive a second 1-step salary increase when they reach 24 months of state service during the 1984-1985 fiscal year. The second 1-step salary increase shall be effective the first day of the month following the completion of the 24th month;
- d. employees whose job performance is satisfactory and who have less than 12 months of state service as of July 1, 1984, shall receive a 1-step salary increase when they reach 12 months of state service during the 1984-85 fiscal year. The 1-step salary increase shall be effective the first day of the month following the completion of the 12th month;
- e. the provisions of sub-sections a, b, c and d above shall not apply to commissioned members of the highway patrol.

AND FURTHER AMEND by deleting in Section 40 the words "the state share not to exceed thirty dollars (\$30.00) per day," and substituting instead the words "the state share not to exceed one-half of thirty dollars per day,".

AND FURTHER AMEND by adding a new item to Section 41 as introduced, to read:

Item _____. To the extent that expenditures for Board and Care Contributions exceed the appropriation in Section 1, Title III-17, Item 3.2 of Chapter 403, Public Acts of 1983, the other appropriations in Section 1, Title III-17, are available for transfer. To the extent that federal revenue exceeds that estimated for Board and Care Contributions, it is hereby allotted. This item is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding a new sentence at the end of Item 15 of Section 44 to read as follows:

In addition to other appropriations made in this Act, there is hereby appropriated to the Regional Libraries the sum of \$81,200 to begin implementation of the State classification-compensation plan study within the Regional Libraries.

AND FURTHER AMEND by adding the following new items at the end of Section 44:

Item _____. There is hereby appropriated for fiscal year 1983-84 the sum of two hundred thousand dollars (\$200,000.00) for the Special Joint Legislative Task Force on State and Local Taxation created by House Joint Resolution 230 of 1983. Such funds as may remain in the account at the end of fiscal year 1983-84 shall not revert to the general fund, but shall remain available for the purposes provided for by such resolution.

Item _____. The Commissioner of Finance and Administration is authorized to reimburse the actual cost of moving expenses to any employee of the Department of Correction whose position was terminated pursuant to the Correction Plan for the 80's and who was officially notified in writing that their position was being terminated and who transferred to another position in the Department of Correction.

The reimbursement shall be limited to the amount which would be allowable if the move had been an "involuntary transfer" under the Department of Finance and Administration's rules promulgated pursuant to Tennessee Code Annotated, Section 8-26-114.

AND FURTHER AMEND by adding a new item to Section 44 as introduced, to read:

Item _____. There is hereby appropriated four million five hundred thousand dollars (\$4,500,000) to the Department of

Finance and Administration to acquire data processing equipment. This appropriation shall not revert to the general fund balance at June 30, 1985.

Before any funds may be obligated and/or expended under this appropriation, proposed specifications for the acquisition of such equipment shall be reviewed by the Fiscal Review Committee and the proposed bid award(s) shall be reviewed by the Fiscal Review Committee.

AND FURTHER AMEND by adding a new item to Section 44 as introduced, to read:

Item _____. There is hereby appropriated five million dollars (\$5,000,000.00) to the Department of General Services to acquire telephone systems for state agencies and departments subject to the approval of the Board of Standards. This appropriation shall not revert to the General fund balance at June 30, 1985.

Before any funds may be obligated and/or expended under this appropriation, proposed specifications for the acquisition of such equipment or systems shall be reviewed by the Fiscal Review Committee and the proposed bid award(s) shall be reviewed by the Fiscal Review Committee.

AND FURTHER AMEND by adding a new item to Section 44 as introduced, to read:

Item _____. In addition to the appropriations in Section 4 of this Act, there is appropriated three hundred thirty five thousand dollars (\$335,000.00) to the Department of General Services to supplement the operations of the Office of Communications. It is the legislative intent that this appropriation be funded from user charges on telecommunications systems.

AND FURTHER AMEND by adding a new item to Section 44, as introduced, to read:

Item _____. It is the legislative intent to appropriate to the Tennessee Consolidated Retirement System the balance of Federal Revenue Sharing entitlement funds withheld from the state and the interest income earned on the funds. Therefore, the appropriations for Retirement Accumulation Fund provided under Chapter 403, Public Acts of 1983, in Section 1, Title III-9, item 2.3a and in Section 45, item 4, are hereby appropriated from withheld Federal Revenue Sharing entitlement funds and interest income in an amount not to exceed one million one hundred thousand dollars (\$1,100,000.00).

AND FURTHER AMEND by adding a new sentence at the end of Section 44, item 9 as introduced, to read:

"Said funds are hereby appropriated to the State Construction program in the fiscal year beginning July 1, 1984."

AND FURTHER AMEND by adding a new item to Section 44 as introduced, to read:

Item _____. From the appropriation made to the Division of Water Quality Control in Section 1, Title III - 16, Item 3.4 of this act, there is hereby appropriated the sum of one million dollars (\$1,000,000.00) to the Tennessee Local Development Authority for the purpose of funding the "local development authority statutory reserve fund" established by Public Chapter of 1984 (Senate Bill 2176/House Bill 2205). The funds appropriated shall be used solely to support loans to cities and counties for sewage treatment facilities construction projects.

AND FURTHER AMEND by adding a new item to Section 44 as introduced, to read:

Item _____. It is the legislative intent that from the appropriations made in Section 1 and Section 4 of this Act, there is hereby appropriated the necessary funds to implement Public Chapter of 1984 (Senate Bill 1556-House Bill 1489) relating to retirement system membership and service credit for part-time employees of the state.

AND FURTHER AMEND by adding a new item to Section 44 as introduced, to read:

Item _____. It is the legislative intent that from the appropriation made under Chapter 403, Public Acts of 1983, in Section 1, Title III-1.1, item 1, Attorney General and Reporter, an amount not to exceed one hundred thousand dollars (\$100,000.00) may be carried forward into the fiscal year beginning July 1, 1984, for the purpose of purchasing equipment. This item is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding two new items to Section 44 as introduced, to read:

Item _____. There is hereby appropriated two million dollars (\$2,000,000.00) to the Department of Conservation for forestry equipment. It is the legislative intent that this appropriation not revert to the general fund balance at June 30, 1985.

Item _____. There is hereby appropriated one hundred thirty thousand dollars (\$130,000.00) to the Tennessee Bureau of Criminal Investigation to fund the purchase of equipment in the laboratory.

AND FURTHER AMEND by adding a new item to Section 44, as introduced, to read:

Item _____. There is hereby appropriated one million one hundred thirty thousand dollars (\$1,130,000.00) to the Department of Safety to fund a separate pay plan for commissioned members of the highway patrol as provided under Public Chapter ____ of 1984 (Senate Bill 1729 - House Bill 2001).

AND FURTHER AMEND by deleting from Section 47 the last sentence in its entirety and by substituting instead the following:

Pursuant to Tennessee Code Annotated, Sections 67-5-702 and 67-5-703, the income eligibility limit for elderly low-income homeowners and for homeowners totally and permanently disabled shall be Eight Thousand Five Hundred Dollars (\$8,500.00) for fiscal year 1984-85.

AND FURTHER AMEND by adding to Section 48 of the bill as introduced, the following amendatory language:

<u>Department</u>	<u>State Appropriation</u>	<u>Departmental Revenue</u>
1. Agriculture	\$ 184,000	\$ 24,400
2. Commissions	236,900	19,300
3. Conservation	2,159,700	16,000
4. Correction	2,836,700	111,200
5. Economic & Community Development	170,300	28,400
6. Education	235,500	84,100
7. Employment Security		3,134,700
8. Executive	20,800	
9. Finance & Administration	111,900	327,900
10. General Services	210,000	151,800
11. Health & Environment	1,604,300	1,698,900
12. Human Services	2,391,200	4,078,300
13. Commerce & Insurance	181,000	375,400
14. Labor	138,500	54,500
15. Menatl Health & Mental Retardation	5,132,500	210,000
16. Military	94,000	173,400
17. Personnel	82,100	20,400
18. Revenue	1,384,900	
19. Safety	1,180,100	3,600
20. Tennessee Bureau of Investigation	150,400	4,800
21. Tourist Development	123,100	
22. Veterans Affairs	30,800	
23. Legislature	189,400	1,900
24. Court System	210,500	
25. Attorney General	114,300	2,300
26. District Attorneys General	99,800	8,700

27. Secretary of State	136,500	
28. Comptroller of the Treasury	565,200	36,100
29. Treasurer	25,600	134,300
TOTAL	\$20,000,000	\$10,700,400

There is further appropriated from dedicated state revenues, federal match funds and other departmental revenue earning, all according to the following schedule:

<u>Department</u>	<u>State Appropriation</u>	<u>Departmental Revenue</u>
30. Housing Develop. Authority	\$	\$ 80,000
31. Financial Institutions	97,200	
32. Wildlife Resources Agency	241,300	84,800
33. Public Service Commission	190,300	
34. Transportation	2,523,600	1,026,600
TOTAL	\$ 3,052,400	\$ 1,191,400

It is the intent of the General Assembly that these funds be used exclusively in the executive branch departments and agencies for the implementation of the classification/compensation plan study.

It is further the intent of the General Assembly that funds hereby allocated to departments and agencies of the legislative branch, the judicial branch, the constitutional officers, the district attorneys general and the public service commission shall be used exclusively for the purpose of making adjustments in their respective classification/compensation plan.

AND FURTHER AMEND by adding the following new section to read:

SECTION ____. Upon passage of this act, the public welfare requiring it:

Item 1. There is hereby appropriated the sum of ten million dollars (\$10,000,000.00) to the Department of Health and Environment to fund Medicaid program expenditures in the fiscal year ending June 30, 1984.

Item 2. There is hereby appropriated an amount not to exceed six million dollars (\$6,000,000.00) to the Department of Health and Environment to provide for the accrued liabilities of the Medicaid program at June 30, 1984.

Item 3. There is hereby appropriated the sum of twenty million dollars (\$20,000,000.00) to the Department of Health and Environment to fund the Medicaid program in the fiscal year beginning July 1, 1984.

AND FURTHER AMEND by adding a new section immediately preceding the severability clause to be appropriately numbered and to read as follows:

Section _____. For purposes of budgeting and determining the amount of funds available for appropriation, state revenues for the Department of Revenue for 1983-84 and for 1984-85 shall mean all collections by the Department of Revenue of taxes, licenses and fees for use by the state for each fiscal year less refunds of taxes, licenses and fees paid by such department for each such fiscal year.

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 1911 by adding a new **ITEM ONE** as follows to Section 44 as introduced and renumbering subsequent items accordingly:

"**ITEM ONE.** There is hereby appropriated the sum of ten million dollars (\$10,000,000) to establish a permanent endowment for the purpose of creating a program of Chairs of Excellence at Tennessee's state universities. The endowed funds shall be allotted equally by the Commissioner of Finance and Administration to the two governing boards and the interest earned shall be allotted equally between the two governing boards. The funds shall be deposited with the State Treasurer, and the interest earned on said funds is hereby appropriated to fund at least one chair at each of the state universities and the University of Tennessee Space Institute. It is the legislative intent that the funds so appropriated to the endowment shall be matched on a one-to-one basis by the participating institutions. At least half of the institutional matching funds shall come from private sources. There shall be no invasion of the corpus. The governing boards shall establish criteria, accept proposals, from eligible institutions, evaluate the proposals, and designate the chairs. The Tennessee Higher Education Commission shall have an advisory role related to the location of the chairs upon the recommendation by the two governing boards. The two governing boards and the THEC shall make a written report to the Legislative Oversight Committee created by the Comprehensive Education Reform Act of 1984 concerning the criteria, the evaluation of the proposals, and the designation of the chairs of excellence, and the Committee will acknowledge receipt of said report.

AND FURTHER AMEND by deleting Section 30 in its entirety and substituting a new **SECTION 30** to read as follows:

"**SECTION 30.** To the extent that state revenues of the general fund for the fiscal year ending June 30, 1984 exceed the requirements of such fund and after all other appropriations are made under the

provisions of this Act, there is appropriated such excess amount to the Tennessee Consolidated Retirement System for distribution as follows:

- (1) All such excess revenues shall go first to fund the accrued liability for benefits to be paid to Aged Teachers and Aged State Employees under the provisions of TCS, Title 8, Chapter 39, Part 1; provided however, such shall be in lieu of any monies appropriated to fund these benefits under any other provisions of this Act;
- (2) Any excess revenues remaining after the provisions of (1) above are fully satisfied shall be paid to fund the "Bonus Cost-of Living" paid in accordance with the provisions of TCA, 8-36-707; provided however, such shall be in lieu of any monies appropriated to fund this benefit under any other provisions of this Act;
- (3) In addition to the amount appropriated in ITEM ONE, SECTION 44, to the extent that Items (1) and (2) are funded, there is appropriated an amount not to exceed \$4,350,000 to increase the endowment for the Chairs of Excellence subject to the provisions of ITEM ONE, SECTION 12.
- (4) Any excess revenue remaining after the provisions of (1) and (2) above have been satisfied shall be used to fund benefits provided by TCRS which are state funded."

The Commissioner of Finance and Administration is directed to transfer to the Tennessee Consolidated Retirement System any such excess amount."

On motion, the amendment was adopted.

Mr. Rhinehart moved the previous question, which motion prevailed by the following vote:

Ayes 87
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--87.

Thereupon, Senate Bill No. 1911, as amended, passed its third and final consideration by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

House Bill No. 1795--To provide for issuance of bonds, certain state institutions.

Mr. Henry moved that House Bill No. 1795 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1795 by deleting item 3 of Section 4 in its entirety and by substituting instead the following:

3. (a) Twenty-six million two hundred twenty-seven thousand dollars (\$26,227,000.00) to the department of finance and administration to be allocated and expended for the purpose of acquisition, erection construction and equipment of sites and buildings, expressly including the acquisition of existing structures for expansion, improvement betterments, and extraordinary repairs to existing structures.

(b) Twelve million dollars (\$12,000,000.00) to Tennessee Technological University to be allocated and expended for the purpose of acquisition, erection, construction and equipment of a library at such university; provided, however, the provisions of this subdivision shall be null and void if such twelve million dollars (\$12,000,000.00) is appropriated in the general appropriations act, Chapter ____ of the Public Acts of 1984 (SB 1911/HB 1794) for such purpose. Provided, further, that if such funds are appropriated, the allocation in subdivision (a) of this item shall be increased twelve million dollars (\$12,000,000.00).

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1795 by adding the following language at the end of subdivision (b) of item 9 in Section 4:

Provided, however, that such funds shall not be released until the following conditions are met:

(1) The commissioner of finance and administration approves such release;

(2) Substantial federal funds specifically designated for the Pellissippi Parkway project have been received by the state;

(3) The route of the Pellissippi Parkway has been established after all required public hearing and environmental impact statemnet requirements have been fulfilled and approval of such route by the federal government; and

(4) Federal funds in a sum sufficient to pay the first year's obligation of principal and interest on the amount of the bonds to be issued has been deposited in the sinking fund.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1795, as amended, passed its third and final consideration by the following vote:

Ayes	89
Noes	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

Representative voting no was: Hudson--1.

A motion to reconsider was tabled.

House Bill No. 2141--To provide for issuance, interest-bearing bonds.

Mr. Rhinehart moved that House Bill No. 2141 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	0
Present and not voting	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--87.

Representatives present and not voting were: Clark (Sumner), Henry and Nance--3.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 1654--To create community work projects for probationers.

Mr. Murphy moved that House Bill No. 1654 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1654 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____. The provisions of this act shall not be construed to be an appropriation of funds and any expenditure of funds necessary to implement the provisions of this act are hereby

earmarked and allocated from funds appropriated to the department of correction pursuant to Senate Bill No. 1911 (HB 1794).

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1654 by deleting from SECTION 1(c) the word, and symbol "be:" and by substituting instead the words and symbol "include but are not limited to the following:"

On motion, the amendment was adopted.

Mr. Wheeler moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 1654 by adding before the effective date section the following new section and by renumbering the effective date section accordingly:

SECTION ____ . Tennessee Code Annotated, Title 40, Chapter 13, Part 1, is amended by adding the following new section:

If a defendant is bound over to the grand jury and no indictment is returned, the charges against such defendant shall be dismissed without prejudice at the beginning of the next term of the grand jury unless good cause to the contrary is shown.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1654, as amended, passed its third and final consideration by the following vote:

Ayes	84
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Byrd, Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--84.

A motion to reconsider was tabled.

House Bill No. 1462--To call for appropriations, research facilities.

On motion, House Bill No. 1462 was made to conform with Senate Bill No. 2092.

On motion, Senate Bill No. 2092, on same subject, was substituted for House Bill No. 1462.

Mr. Owen moved that Senate Bill No. 2092 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 2092 by adding the following at the end of Section 1:

The Comptroller of the Treasury shall have the authority to audit any funds appropriated and/or expended pursuant to this act.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2092, as amended, passed its third and final consideration by the following vote:

Ayes	85
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Dissspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--85.

A motion to reconsider was tabled.

House Bill No. 1988--To provide for revenue fluctuation account.

On motion, House Bill No. 1988 was made to conform with Senate Bill No. 2083.

On motion, Senate Bill No. 2083, on same subject, was substituted for House Bill No. 1988.

Mr. Smith moved that Senate Bill No. 2083 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--84.

Representative voting no was: Shirley--1.

A motion to reconsider was tabled.

House Bill No. 1636--To make certain provisions, inheritance tax.

On motion, House Bill No. 1636 was made to conform with Senate Bill No. 1810.

On motion, Senate Bill No. 1810, on same subject, was substituted for House Bill No. 1636.

Mr. Jared moved that Senate Bill No. 1810 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance,

Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--89.

A motion to reconsider was tabled.

House Bill No. 1638--To regulate fees, certain operations and chauffeurs licenses.

Mr. Jared moved that House Bill No. 1638 be passed on third and final consideration, which motion prevailed by the following vote.

Ayes	86
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--86.

A motion to reconsider was tabled.

House Bill No. 2177--To provide protective vests for state troopers.

Mr. Jared moved that House Bill No. 2177 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--87.

A motion to reconsider was tabled.

Mr. Bragg moved that House Bill No. 2014 be placed on the Calendar for Wednesday, May 23, 1984, which motion prevailed.

House Bill No. 1737--To include certain questions, exam for driver's license.

On motion, House Bill No. 1737 was made to conform with Senate Bill No. 1421.

On motion, Senate Bill No. 1421, on same subject, was substituted for House Bill No. 1737.

Ms. Moore (Sullivan) moved that Senate Bill No. 1421 be passed on third and final consideration.

Mr. Robinson (Davidson) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1421 in Section 2 by adding the following sentence:

Provided, however, notwithstanding the provisions of this act, no change shall be required to be made on the tests or in the driver's manual until all current supplies of such materials have been used.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1421, as amended, passed its third and final consideration by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--90.

A motion to reconsider was tabled.

Mr. Bivens moved that House Bill No. 1592 be placed on the Calendar for Thursday, May 24, 1984, which motion prevailed.

Mr. Kent moved that House Bill No. 1370 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 1967--To appropriate funds, African Affairs Institute, T.S.U.

Mr. Love moved that House Bill No. 1967 be passed on third and final consideration.

Mr. Love moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1967 by deleting in Section 1 the words and figures "fifty thousand dollars (\$50,000)" and substituting the following:

thirty thousand dollars (\$30,000)

On motion, the amendment was adopted.

Thereupon, House Bill No. 1967, as amended, passed its third and final consideration by the following vote:

Ayes	51
Noes	32
Present and not voting	2

Representatives voting aye were: Bell, Bivens, Brewer, Byrd, Clark (Davidson), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Ellis, Elsea, Gaia, Gill, Hillis, Hurley, Jared, Johnson, Jones, Kernell, King (Shelby), Kisber, Love, McKinney, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Severance, Sir, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Wheeler, Whitson, Work, Yelton and Mr. Speaker McWherter--51.

Representatives voting no were: Anderson, Atchley, Bewley, Chiles, Clark (Sumner), Duer, Ford, Frensley, Gafford, Harrill, Henry, Hudson, Huskey, Kelley, Kent, King (Washington), McAfee, McNally, Montgomery, Nance, Percy, Robertson, Robinson (Washington), Scruggs, Smith, Ussery, Wallace, Webb, Williams, Wolfe and Wood--32.

Representatives present and not voting were: Buck and Moore (Shelby)--2.

A motion to reconsider was tabled.

House Bill No. 1965--To provide for guidance counselors, elementary schools.

Mr. Love moved that House Bill No. 1965 be passed on third and final consideration.

Mr. Work moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1965 by deleting Section 1 in its entirety.

AND FURTHER AMEND by inserting before the enacting clause a preamble, as follows:

WHEREAS, the Tennessee General Assembly enacted during the 1984 extraordinary session the Comprehensive Education Reform Act of 1984, to improve the quality of instruction available to students in Tennessee's public schools; and

WHEREAS, this program will result in the expenditure of over one billion dollars over the next several years; and

WHEREAS, it is vital that students receive the maximum benefits from this program, a fact recognized during the extraordinary session by the enactment of the Alternative Schools bill which was designed to retain in a classroom setting disruptive and truant students; and

WHEREAS, these programs to improve education and retain students in school overlook the vital importance of motivating a student to want to attend school and improve himself, and oversight which is particularly critical at the elementary school level; and

WHEREAS, children learn both affectively and cognitively, but presently only the cognitive needs of elementary students are being addressed and the affective needs are going unattended. Children do not learn in a vacuum, they learn through their feelings and emotions as well as their cognitive processes. When a child is not given the necessary assistance for developing both domains (cognitive and affective) there will be an imbalance in his total development, therefore, elementary schools of Tennessee need strong programs of preventive and developmental counseling facilitated through the services of an elementary school guidance counselor; and

WHEREAS, social problems of young children which are unaddressed have a tendency to grow with the child. During adolescent years, problems become more apparent and are sometimes misinterpreted as being new or having "all of a sudden developed"; when in reality, that problem was present all along but went unnoticed. Generally, it is in the adolescent years

when resources are provided and treatment sought for correction; however, such steps at this point have little or no impact on the resolution of the problem. The most effective time at which to deal with a problem is in the developmental stages of the problem; and

WHEREAS, the result of inattention to the counseling needs of students in the elementary grades allows problems in both learning disabilities and personal development to accumulate until, when guidance becomes available at the high school level, these problems are of a much more serious and debilitating nature than would have been the case if they had been timely addressed in the elementary grades when the student was more amenable to advice and guidance; and

WHEREAS, resources now being devoted to personal and behavior guidance and correction at the high school level, as well as the high costs of disruptive behavior in class, remediation, and dropping out or leaving school with inadequate training and skills can all be alleviated through a preventive guidance program in the elementary schools; now, therefore,

AND FURTHER AMEND by adding new sections to the bill, as follow:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 10, (now Title 49, Chapter 6, Part 3), is amended by adding a new section thereto, as follows:

Section 49-6-3__.

(a) Each local education agency operating an elementary school shall employ at least one (1) elementary school guidance counselor. Such counselor shall be in addition to anyone so employed on the effective date of this act, and no one presently employed as an elementary school guidance counselor shall be transferred or reassigned on account of this act.

(b) Nothing in subsection (a) shall prohibit any local education agency from employing more elementary school guidance counselors than provided for in subsection (a).

(c) Elementary school guidance counselor positions established under the provisions of subsection (a) shall be funded in accordance with the provisions of Tennessee Code Annotated, Title 49, Chapter 6.

(d) The minimum requirement to be employed as an elementary school guidance counselor under this act shall be an endorsement as an elementary school guidance counselor.

(e) Elementary school guidance counselors shall provide preventive and developmental guidance to elementary

school students in order to prepare them for their junior and senior high school responsibilities and their social and physical development. In providing guidance services, the counselors shall:

(1) Aid children in academic development through the use and interpretation of test scores, improving pupil self concept, and early identification and attention to problems that are deterrents to learning and development.

(2) Act in a consultative role to teachers relative to the use of test scores and improvement of the learning environment, the use of out-of-school resources and agencies; developmental as a home-school liaison.

(3) Offer services related to the identification and placement of children with handicapping conditions.

(4) Serve in a consultative role to parents in a liaison capacity, as a resource in understanding growth and development problems, and as an aid in understanding how some nonschool factors affect learning and achievement of children.

(5) Serve as a resource in decreasing discipline problems through an understanding of peer relations, teacher-pupil relations, social awareness, drug awareness, etc.

(6) Aid in improving school attendance and retention by implementing an early identification and prevention program for potential attendance and retention problems.

(7) Serve as a resource in decreasing the incidence of juvenile delinquency. (Juvenile judges, court officers, and mental health center counselors have all underscored the need for early intervention through guidance and counseling services.)

(8) Act as a resource and consultant to teachers in implementing a career development Program which, at the elementary school level, includes self-awareness, job awareness, and prevocational orientation.

(9) Provide another source where youngsters can find someone to "just listen," someone to share with, and someone to care.

(f) Each local education agency shall submit a plan to the commissioner detailing its planned use of the counselors

provided for in this act and the goals sought to be achieved. A report on the results of this plan shall be filed with the commissioner annually, and the plan shall be updated as necessary.

Mr. Love moved to amend Amendment No. 1 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Amendment No. 1 in subsection (a) of the amendatory language of Section 1 by adding a new sentence at the end of subsection (a) as follows:

Provided, however, if a local education agency is already employing an adequate number of elementary guidance counselors, as approved by the commissioner, then the funds provided for that local education agency by this act may be used for the compensation of such existing counselors.

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

On motion, House Bill No. 1965 was moved down 10 places on today's Calendar.

Senate Bill No. 1465--to make provisions, theft certain cable television services.

Mr. Owen moved that Senate Bill No. 1465 be passed on third and final consideration.

On motion, Amendment No. 2 was withdrawn.

Mr. Robertson moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 1465 by adding a new section thereto, as follows:

SECTION _____. The provisions of this act shall have no application to satellite reception dishes.

On motion, the amendment was adopted.

Mr. Drew moved to amend as follows;

AMENDMENT NO. 4

Amend Senate Bill No. 1465 by adding at the end of the amendatory language of Section 39-3-1136 of Section 1 the following:

() Provided, further, nothing in this section shall be construed to prohibit a subscriber of a cable television service

from using a cable splitter or a similar device to relay the subscribed service to other televisions in the subscriber's household.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1465, as amended, passed its third and final consideration by the following vote:

Ayes	82
Noes	6
Present and not voting	1

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wood, Work and Yelton--82.

Representatives voting no were: Atchley, Crain, Nance, Robertson, Shirley and Wolfe--6.

Representative present and not voting was: Moore (Shelby)--1.

A motion to reconsider was tabled.

Mr. Kisber moved that House Bill No. 1687 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Jones moved that House Bill No. 1372 be placed on the Calendar for Thursday, May 24, 1984, which motion prevailed.

House Bill No. 1585--To amend Section 49-3-307, Code.

Mr. Copeland moved that House Bill No. 1585 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1585 by deleting in its entirety the effective date clause, and by substituting instead the following:

SECTION ____. This act shall take effect July 1, 1985, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1585, as amended, passed its third and final consideration by the following vote:

Ayes	87
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Whitson, Williams, Wolfe, Wood, Work and Yelton--87.

A motion to reconsider was tabled.

House Bill No. 1659--To regulate claims for unemployment insurance.

On motion, House Bill No. 1659 was made to conform with Senate Bill No. 1507.

On motion, Senate Bill No. 1507, on same subject, was substituted for House Bill No. 1659.

Mr. Murphy moved that Senate Bill No. 1507 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	68
Noes	15

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Ellis, Elsea, Ford, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hurley, Johnson, Kelley, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sir, Stallings, Starnes, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Whitson, Wood, Work and Yelton--68.

Representatives voting no were: Anderson, Atchley, Clark (Sumner), Duer, Frensley, Hassell, Hudson, Huskey, Kent, McNally, Moore (Shelby), Scruggs, Smith, Williams and Wolfe--15.

A motion to reconsider was tabled.

House Joint Resolution No. 277--Relative to approving amendments to Rules of Civil Procedure.

On motion, House Joint Resolution No. 277 was made to conform with Senate Joint Resolution No. 142.

On motion, Senate Joint Resolution No. 142, on same subject, was substituted for House Joint Resolution No. 277.

Mr. Murphy moved that Senate Joint Resolution No. 142 be concurred in, which motion prevailed by the following vote:

Ayes	88
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--88.

A motion to reconsider was tabled.

House Joint Resolution No. 433--Relative to the Rules of Juvenile Procedure.

On motion, House Joint Resolution No. 433 was made to conform with Senate Joint Resolution No. 205.

On motion, Senate Joint Resolution No. 205, on same subject, was substituted for House Joint Resolution No. 433.

Mr. Murphy moved that Senate Joint Resolution No. 205 be concurred in, which motion prevailed by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--91.

A motion to reconsider was tabled.

Mr. Murphy moved that House Bill No. 1384 be placed on the Calendar for Thursday, May 24, 1984, which motion prevailed.

House Bill No. 846--To amend Section 67-3054, Code.

Mr. McKinney moved that House Bill No. 846 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 846 by deleting the last section in its entirety and by substituting instead the following:

Section _____. This act shall take effect July 1, 1984, the public welfare requiring it.

On motion, the amendment was adopted.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 846 by deleting the amendatory language of Section 1 in its entirety and by substituting instead the following:

provided, however, that said percentage shall be 1.375 percent for fiscal year 1985-86; shall be 1.250 percent for fiscal year 1986-87; and shall be 1.125 percent for fiscal year 1987-88 and subsequent fiscal years. Provided further, however, that said percentage shall not be less than necessary to defray the state's

expenses in administering, collecting, and remitting the local sales tax, as determined annually by the department and certified by the comptroller of the treasury.

On motion, the amendment was adopted.

Thereupon, House Bill No. 846, as amended, passed its third and final consideration by the following vote:

Ayes	88
Noes	2
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --88.

Representatives voting no were: Robertson and Scruggs--2.

Representative present and not voting was: Hudson--1.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE BILL NO. 1965

House Bill No. 1965--To provide for guidance counselors, elementary schools.

On motion, Amendment No. 1, as amended, was adopted.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1965 by adding a new section which reads as follows:

The provisions of this Act shall be subject to the appropriation's of funds for these purposes in the general appropriation act, and the provisions of this Act shall be null and void in the absence thereof."

On motion, the amendment was adopted.

Thereupon, House Bill No. 1965, as amended, passed its third and final consideration by the following vote:

Ayes	64
Noes	26
Present and not voting	1

Representatives voting aye were: Bell, Bivens, Brewer, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Gaia, Gill, Hassell, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Sir, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Wix, Work and Yelton--64.

Representatives voting no were: Anderson, Atchley, Bewley, Bragg, Chiles, Clark (Sumner), Copeland, Ford, Frensley, Gafford, Harrill, Henry, Hudson, Kent, McAfee, McNally, Montgomery, Nance, Robertson, Robinson (Washington), Scruggs, Smith, Webb, Williams, Wolfe and Wood--26.

Representative present and not voting was: Moore (Shelby)--1.

A motion to reconsider was tabled.

Mr. McKinney moved that the rules be suspended for the purpose of introducing House Bill No. 2311 out of order, which motion prevailed.

Mr. McKinney moved that the rules be suspended for the immediate consideration of House Bill No. 2311, which motion prevailed.

Mr. McKinney moved that House Bill No. 2311 be passed on first consideration, which motion prevailed.

On motion of Mr. McKinney, House Bill No. 2311 was held on the clerk's desk.

House Bill No. 566--To adopt system, employing computerized registration record.

On motion, House Bill No. 566 was made to conform with Senate Bill No. 689.

On motion, Senate Bill No. 689, on same subject, was substituted for House Bill No. 566.

Ms. DeBerry moved that Senate Bill No. 689 be passed on third and final consideration.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 689 by adding a new section:

Section _____. The provisions of this act shall apply in any county having a population of not less than 287,700 nor greater than 287,800, and in any county having a population of not less than 770,000, according to the 1980 federal census or any subsequent federal census.

On motion, the amendment was adopted.

On motion, Senate Bill No. 689 was moved down 10 places on today's Calendar.

Ms. DeBerry moved that House Joint Resolution No. 81 be placed on the Calendar for Wednesday, May 23, 1984, which motion prevailed.

House Joint Resolution No. 289--Relative to study, liability, education employees.

Mr. Dills moved that House Joint Resolution No. 289 be adopted.

Mr. Work moved to amend as follows:

AMENDMENT NO. 1

Amend House Joint Resolution No. 289 in the first resolving clause by deleting the words "arising out of their employment" and substituting instead the words "arising out of use of or exposure to hazardous materials in the course of their employment".

On motion, the amendment was adopted.

Thereupon, House Joint Resolution No. 289, as amended, was adopted by the following vote:

Ayes	85
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Duer, Ellis, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson

(Washington), Scruggs, Severance, Shirley, Sir, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--85.

Representative present and not voting was: Smith--1.

A motion to reconsider was tabled.

House Joint Resolution No. 408--Relative to study "Right-to-know" laws, hazardous substances.

Mr. Kernell moved that House Joint Resolution No. 408 be adopted.

Mr. Hillis moved to amend as follows:

AMENDMENT NO. 1

Amend House Joint Resolution No. 408 by inserting the following new resolving clause immediately following the first resolving clause:

BE IT FURTHER RESOLVED, That the speaker of the House of Representatives appoint two (2) members of the environmental safety subcommittee of the house conservation and environment committee and two (2) members of the house labor and consumer affairs committee to represent the House of Representatives on the special joint committee.

On motion, the amendment was adopted.

Thereupon, House Joint Resolution No. 408, as amended, was adopted by the following vote:

Ayes	83
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Elsea, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--83.

Representative present and not voting was: Frensley--1.

A motion to reconsider was tabled.

Mr. Henry moved that Senate Joint Resolution No. 138 be placed on the Calendar for Wednesday, May 23, 1984, which motion prevailed.

House Bill No. 1420--To establish group insurance plan, certain retired employees.

On motion, House Bill No. 1420 was made to conform with Senate Bill No. 1329.

On motion, Senate Bill No. 1329, on same subject, was substituted for House Bill No. 1420.

Mr. Miller moved that Senate Bill No. 1329 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--92.

A motion to reconsider was tabled.

House Bill No. 1541--To make certain provisions, inmate labor.

On motion, House Bill No. 1541 was made to conform with Senate Bill No. 1783.

On motion, Senate Bill No. 1783, on same subject, was substituted for House Bill No. 1541.

Mr. Miller moved that Senate Bill No. 1783 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea,

Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--92.

A motion to reconsider was tabled.

Mr. Miller moved that House Bill No. 1542 be placed on the Calendar for Wednesday, May 23, 1984, which motion prevailed.

Mr. Miller moved that House Bill No. 777 be placed on the Calendar for Thursday, May 24, 1984, which motion prevailed.

House Bill No. 2022--To amend Chapter 459, Public Acts, 1983.

On motion, House Bill No. 2022 was made to conform with Senate Bill No. 2050.

On motion, Senate Bill No. 2050, on same subject, was substituted for House Bill No. 2022.

Mr. Turner (Shelby) moved that Senate Bill No. 2050 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--93.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF SENATE JOINT RESOLUTION NO. 190

Senate Joint Resolution No. 190--Relative to amendment, Article II, Tennessee Constitution.

Mr. McKinney moved that Senate Joint Resolution No. 190 be passed on second reading.

At the request of the sponsor, Senate Joint Resolution No. 190 was read by the Clerk.

Thereupon, as required by Article XI, Section 3, Constitution of Tennessee, Senate Joint Resolution No. 190 passed its second reading by the following vote:

Ayes	73
Noes	14
Present and not voting	1

Representatives voting aye were: Anderson, Bell, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Gafford, Gaia, Gill, Hassell, Hillis, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Sir, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Work and Yelton--73.

Representatives voting no were: Bewley, Ford, Frensley, Harrill, Henry, Hudson, Huskey, McNally, Nance, Robertson, Scruggs, Severance, Smith, Wolfe and Wood--15.

Representative present and not voting was: Atchley--1.

Senate Joint Resolution No. 190 was placed on the Calendar for Wednesday, May 23, 1984.

Ms. Williams moved that House Bill No. 1729 be placed on the Calendar for Wednesday, May 23, 1984, which motion prevailed.

House Joint Resolution No. 497--Relative to drivers' licenses.

Ms. DeBerry moved that House Joint Resolution No. 498 be adopted, which motion prevailed by the following vote:

Ayes	88
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), DeBerry,

DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --88.

Representative present and not voting was: Frensley--1.

A motion to reconsider was tabled.

Senate Bill No. 1308--To regulate Tennessee Corrections Institute.

Mr. King (Shelby) moved that Senate Bill No. 1308 as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--89.

Representatives voting no were: Chiles and Hudson--2.

A motion to reconsider was tabled.

House Bill No. 1896--To make certain provisions, location of bingo games.

On motion, House Bill No. 1896 was made to conform with Senate Bill No. 1845.

On motion, Senate Bill No. 1845, on same subject, was substituted for House Bill No. 1896.

Mr. Kernell moved that Senate Bill No. 1845 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	71
Noes	12
Present and not voting	3

Representatives voting aye were: Anderson, Bell, Bivens, Bragg, Brewer, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Owen, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sir, Smith, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix and Work--71.

Representatives voting no were: Byrd, Chiles Crain, Davis (Pickett), Dills, Harrill, Huskey, Nance, Scruggs, Stallings, Wood and Yelton--12.

Representatives present and not voting were: Atchley, Bewley and Buck--3.

A motion to reconsider was tabled.

House Bill No. 2294--To make certain provisions, electric cooperatives.

Mr. Davis (Gibson) moved that House Bill No. 2294 be passed on third and final consideration.

Mr. Davis (Gibson) moved to amend as follows:

AMENDMENT NO. 1

Amend House bill No. 2294 by deleting Section 1 in its entirety and substituting instead the following new section:

SECTION 1. Tennessee Code Annotated, Section 65-25-108, is amended on item (7) by deleting the following words and figures:

"provided, that with respect to those electric cooperatives which include in their service areas, counties having populations as shown by the federal census of 1970 or any subsequent federal census, as folows:

- (A) Not less than 6,200 nor more than 63,331;
- (B) Not less than 7,500 nor more than 7,643;

(C) Not less than 10,500 nor more than 10,631;

(D) Not less than 20,400 nor more than 20,577;"

On motion, the amendment was adopted.

Thereupon, House Bill No. 2294, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--91.

Representative present and not voting was: Pickering--1.

A motion to reconsider was tabled.

House Resolution No. 98--Relative to study, cable television.

Mr. Kisber moved that House Resolution No. 98 be adopted, which motion prevailed by the following vote:

Ayes	80
Noes	3
Present and not voting	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Hillis, Hudson, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood and Yelton--80.

Representatives voting no were: Hurley, McAfee and Shirley--3.

Representatives present and not voting were: Harrill, Henry and Robertson--3.

A motion to reconsider was tabled.

House Joint Resolution No. 401--Relative to study, soil erosion issues.

Mr. Byrd moved that House Joint Resolution No. 401 be adopted, which motion prevailed by the following vote:

Ayes	84
Noes	2
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work and Yelton--84.

Representatives voting no were: Murphy and Shirley--2.

Representative present and not voting was: McAfee--1.

A motion to reconsider was tabled.

House Bill No. 1964--To regulate spacing of oil wells.

On motion, House Bill No. 1964 was made to conform with Senate Bill No. 2159.

On motion, Senate Bill No. 2159, on same subject, was substituted for House Bill No. 1964.

Mr. Davis (Pickett) moved that Senate Bill No. 2159 be passed on third and final consideration.

Mr. Robertson moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 2159 by adding the following as a new section 5:

This act shall automatically expire on July 1, 1987.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2159, as amended, passed its third and final consideration by the following vote:

Ayes	89
Noes	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

Representatives voting no were: Chiles, Cobb and McAfee--3.

A motion to reconsider was tabled.

House Bill No. 1657--To provide for payment of preadjudicatory costs, certain juveniles.

On motion, House Bill No. 1657 was made to conform with Senate Bill No. 1819.

On motion, Senate Bill No. 1819, on same subject, was substituted for House Bill No. 1657.

Mr. Murphy moved that Senate Bill No. 1819 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy,

Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--90.

A motion to reconsider was tabled.

Mr. Byrd moved that the rules be suspended for the purpose of introducing House Resolution No. 155 out of order, which motion prevailed.

House Resolution No. 155--Relative to recalling Senate Bill No. 100 from Governor.

Mr. Byrd moved that the rules be suspended for the immediate consideration of House Resolution No. 155, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

On motion of Mr. King (Shelby) Senate Bill No. 2151 was recalled from the Senate.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 2151, as requested.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. King (Shelby) moved that the rules be suspended for the immediate consideration of Senate Bill No. 2151, which motion prevailed.

FURTHER CONSIDERATION OF SENATE BILL NO. 2151

Senate Bill No. 2151--To regulate expiration, certain agency rules.

Mr. King (Shelby) moved that the motion to reconsider Senate Bill No. 2151 be lifted from the table, which motion prevailed.

Mr. King (Shelby) moved that the House reconsider its action in passing Senate Bill No. 2151 on third and final consideration, as amended, which motion prevailed.

Mr. King (Shelby) moved to amend as follows:

AMENDMENT NO. 6

Amend Senate Bill No. 2151 by deleting from Section 3 thereof the words and figures: "Rules 0520"

and inserting in lieu thereof the following words and figures:

"Rule 0520-1-3-.06 (1) (e)"

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2151, as amended, passed its third and final consideration by the following vote:

Ayes	87
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--87.

A motion to reconsider was tabled.

Mr. Dixon moved that the rules be suspended for the purpose of introducing House Resolution No. 154 out of order, which motion prevailed.

House Resolution No. 154--Relative to study, revolving loan fund for low income persons--By Dixon and Bragg.

On motion, House Resolution No. 154 was placed on the Calendar for Thursday, May 24, 1984.

Mr. Starnes moved that House Joint Resolution No. 527 be placed on the Calendar for Thursday, May 24, 1984, which motion prevailed.

Mr. Jones moved that House Bill No. 2032 be placed on the Calendar for Wednesday, May 23, 1984, which motion prevailed.

Mr. King (Washington) moved that House Bill No. 1792 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Joint Resolution No. 523--Relative to Legislative Complex security.

Ms. DeBerry moved that House Joint Resolution No. 523 be adopted, which motion prevailed by the following vote:

Ayes	88
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--88.

Representative present and not voting was: Harrill--1.

A motion to reconsider was tabled.

Mr. Kernell moved that House Bill No. 1728 be placed on the Calendar for Wednesday, May 23, 1984, which motion prevailed.

CONSENT CALENDAR

OBJECTION

An Objection was filed to the following resolution on the Consent Calendar:

Mr. McKinney objected to Senate Joint Resolution No. 240.

Under the rules, Senate Joint Resolution No. 240 was placed at the foot of the Calendar for Wednesday, May 23, 1984.

CONSENT CALENDAR

House Resolution No. 151--Relative to commending Kathy Gunter.

House Joint Resolution No. 556--Relative to congratulating Coach Dean Hayes.

House Joint Resolution No. 557--Relative to congratulating Coach Melvin Daniels.

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House Joint Resolution No. 558--Relative to commending Harry Bradley.

House Joint Resolution No. 566--Relative to honoring Alex A. Shafer.

House Resolution No. 150--Relative to honoring Jeffery K. Garreth.

House Resolution No. 146--Relative to commending Susan Melanie McGregor.

House Joint Resolution No. 562--Relative to congratulating Lucy Sweat.

House Joint Resolution No. 563--Relative to commending Don Daugherty.

House Bill No. 2298--To authorize tax on hotel occupancy, Henry County.

House Bill No. 2299--To amend Charter, Brownsville.

House Bill No. 2300--To provide for county executive committee, Madison County.

House Bill No. 2301--To regulate mobile homes, Bradley County.

House Bill No. 2303--To amend Charter, Gatlinburg.

House Joint Resolution No. 547--Relative to congratulating Coach Dickie Thomas and Oakland High School boys basketball.

House Joint Resolution No. 549--Relative to commending Dillard Sholes.

House Joint Resolution No. 551--Relative to honoring Joe Worden.

House Joint Resolution No. 552--Relative to honoring Helen Fulks.

House Joint Resolution No. 553--Relative to commending William C. Koch.

House Joint Resolution No. 554--Relative to honoring Representative Jimmy Wallace.

Senate Joint Resolution No. 250--Relative to honoring Dan Cooper.

Senate Joint Resolution No. 253--Relative to commending William C. Koch, Jr.

Senate Joint Resolution No. 245--Relative to commending Don Daugherty.

Senate Joint Resolution No. 246--Relative to commending Arthur Robinson and A.O.Z. Productions.

Senate Joint Resolution No. 229--Relative to memory, Dr. Eddie Tyron Goins.

Senate Joint Resolution No. 230--Relative to memory, Representative W.C. Herndon, Jr.

Senate Joint Resolution No. 231--Relative to commending Steve Maury.

Senate Joint Resolution No. 232--Relative to memory, James Rob "Uncle Jim" Cates.

Senate Joint Resolution No. 233--Relative to memory, Cora S. Johnson.

Senate Joint Resolution No. 234--Relative to honoring Theodore R. McLemore.

Senate Joint Resolution No. 235--Relative to commending Reverend William A. Suggs.

Senate Joint Resolution No. 237--Relative to commending David Miller.

Senate Joint Resolution No. 238--Relative to congratulating Nissan Motor Manufacturing Corporation U.S.A.

Senate Joint Resolution No. 239--Relative to congratulating Holder Kennedy and Company, Inc.

Senate Joint Resolution No. 241--Relative to commending Thomas I. Willard.

Senate Joint Resolution No. 242--Relative to honoring Darlene M. Willard.

Senate Joint Resolution No. 243--Relative to honoring Walter P. Armstrong, Jr.

Mr. Gill moved that all House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson),

Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--94.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 218--Relative to acknowledging support, proposed Area Health Education Center program.

The Speaker referred Senate Joint Resolution No. 218 to the Committee on Calendar and Rules.

Senate Joint Resolution No. 255--Relative to honoring Carl A. Jones.

Under the rules, Senate Joint Resolution No. 255 was referred to the Committee on Calendar and Rules.

ANNOUNCEMENT REGARDING SENATE MESSAGES

The Speaker announced that all messages received from the Senate today would be placed on the Message Calendar for Wednesday, May 23, 1984.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1911--General Appropriations Bill.

The Senate nonconcurred in House Amendments Nos. 1, 2 and 3.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Bragg moved that the rules be suspended for the immediate consideration of Senate Bill No. 1911, which motion prevailed.

Mr. Henry moved that the House refuse to recede from its action in adopting Amendments Nos. 1, 2 and 3 to Senate Bill No. 1911, which motion prevailed.

On motion of Mr. McKinney, Senate Bill No. 2124 was recalled from the Senate.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return Senate Bill No. 2124, as requested.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. McKinney moved that the rules be suspended for the immediate consideration of Senate Bill No. 2124, which motion prevailed.

FURTHER CONSIDERATION OF SENATE BILL NO. 2124

Senate Bill No. 2124--To make certain provisions motor vehicle warranties.

Mr. McKinney moved that the motion to reconsider Senate Bill No. 2124 be lifted from the table, which motion prevailed.

Mr. McKinney moved that the House reconsider its action in passing Senate Bill No. 2124 on third and final consideration, as amended, which motion prevailed.

Mr. McKinney moved that the House reconsider its action in adopting Amendment No. 8, which motion prevailed.

Mr. McKinney moved to amend Amendment No. 8 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 8

Amend Amendment No. 8 by amending the amendatory language of House Amendment No. 8, by adding thereto, between the words "act" and "provided", the following:

"except for causes of action involving personal injury,"

On motion, Amendment No. 1 to Amendment No. 8 was adopted.

Thereupon, Amendment No. 8, as amended, was adopted.

Thereupon, Senate Bill No. 2124, as amended, passed its third and final consideration by the following vote:

Ayes	92
Noes	0
Present and not voting	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representatives present and not voting were: Clark (Davidson), Dixon and Nance--3.

A motion to reconsider was tabled.

Mr. Murphy moved that the rules be supended for the purpose of introducing House Joint Resolution No. 570 out of order, which motion prevailed.

House Joint Resolution No. 570--Relative to amending Constitution, Compensation, General Assembly--By Murphy.

Mr. Murphy moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 570, which motion prevailed.

House Joint Resolution No. 570--Relative to amending Constitution, Compensation, General Assembly.

Mr. Murphy moved that House Joint Resolution No. 570 be passed on first reading.

At the request of the sponsor, House Joint Resolution No. 570 was read by the Clerk.

Thereupon, as required by Article XI, Section 3, Constitution of Tennessee, House Joint Resolution No. 570 passed it first reading by the following vote:

Ayes	81
Noes	8
Present and not voting	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson),

Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gaia, Gill, Hassell, Henry, Hillis, Hudson, Hurley, Johnson, Jones, Kent, Kernell, King (Shelby), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--81.

Representatives voting no were: Ford, Harrill, Huskey, Kelley, King (Washington), Owen, Wallace and Mr. Speaker McWherter--8.

Representatives present and not voting were: McAfee and Smith --2.

House Joint Resolution No. 570 was placed on the Calendar for May 23, 1984.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

148--Relative to study, special committee, General Sessions Courts;

154--Relative to study, polygraph testing;

166--Relative to study, efficacy and administration, community grant programs;

196--Relative to study, adoption laws;

209--Relative to study, litigation tax laws;

215--Relative to study, group insurance, education agencies;

216--Relative to study, certain conditions, compulsory attendance laws; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Robertson moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 148, which motion prevailed.

On motion, the resolution was placed on tomorrows Calendar.

On motion, Senate Joint Resolution No. 224 was recalled from the Committee on Calendar and Rules.

Mr. Naifeh moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 224, which motion prevailed.

On motion, the resolution was placed on the Consent Calendar for tomorrow.

Mr. Davis (Gibson) moved that the rules be suspended for the purpose of introducing House Bill No. 2312 out of order, which motion prevailed.

House Bill No. 2312--To change term, Trenton Special School District board members--By Davis (Gibson).

Mr. Davis (Gibson) moved that the rules be suspended for the immediate consideration of House Bill No. 2312, which motion prevailed.

On motion, the bill passed first consideration.

Mr. Kisber moved that the rules be suspended for the immediate consideration of House Bill No. 2302, which motion prevailed.

House Bill No. 2302--To amend Section 70-4-209, Code.

Mr. Kisber moved that House Bill No. 2302 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

Mr. Henry moved that the rules be suspended for introduction of House Bill No. 2311, which motion prevailed.

House Bill No. 2311--To authorize county election commissioners to split precincts--By Henry, Naifeh and McKinney.

Mr. Henry moved that House Bill No. 2311 be passed on first consideration, which motion prevailed.

Mr. Kelley moved that the rules be suspended for the immediate introduction of House Bill No. 2313, which motion prevailed.

House Bill No. 2313--To regulate voting, certain special school districts--By Kelley and Mr. Speaker McWherter.

Mr. Kelley moved that House Bill No. 2313 be passed on first consideration, which motion prevailed.

Mr. Kelley moved that the rules be suspended for the immediate introduction of House Bill No. 2314, which motion prevailed.

House Bill No. 2314--To make certain provisions, West Carroll Special School District--By Kelley and Mr. Speaker McWherter.

Mr. Kelley moved that House Bill No. 2314 be passed on first consideration, which motion prevailed.

Mr. Henry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 571 out of order, which motion prevailed.

House Joint Resolution No. 571--Relative to memory, Andrew Lamar Alexander of Maryville--By Henry and Mr. Speaker McWherter.

Mr. Henry moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 571, which motion prevailed.

Mr. Henry moved that House Joint Resolution No. 571 be adopted, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

Ms. Moore (Sullivan) moved that the rules be suspended for the immediate introduction of House Bill No. 2310, which motion prevailed.

House Bill No. 2310--To authorize taxes, certain highway construction--By Moore (Sullivan), Yelton, Whitson and Montgomery.

Ms. Moore (Sullivan) moved that House Bill No. 2310 be passed on first consideration, which motion prevailed.

Mr. Starnes moved that the rules be suspended for the purpose of introducing House Resolution No. 157 out of order, which motion prevailed.

House Resolution No. 157--Relative to study, Fire Safety Codes --By Starnes.

Mr. Starnes moved that the rules be suspended for the immediate consideration of House Resolution No. 157, which motion prevailed.

Mr. Starnes moved that House Resolution No. 157 be adopted, which motion prevailed by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

Mr. King (Shelby) moved that the rules be suspended for the immediate consideration of Senate Bill No. 1298, which motion prevailed.

FURTHER CONSIDERATION OF AMENDED BILL

Senate Bill No. 1298--To regulate licensing board of Healing Arts.

Mr. King (Shelby) moved that the House refuse to recede from its action in adopting Amendments Nos. 1 and 2 to Senate Bill No. 1298, which motion prevailed.

Ms. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 573 out of order, which motion prevailed.

House Joint Resolution No. 573--Relative to congratulating Raymond Metsker, Jr.--By DeBerry.

Ms. DeBerry moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 573, which motion prevailed.

Ms. DeBerry moved that House Joint Resolution No. 573 be adopted, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --93.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1977--To redistrict state Trial Court system.

The Senate refused to recede from its action in adopting Amendments Nos. 11, 20, 22, 23, 24, 28 and 29.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Murphy moved that the House refuse to recede from its action in nonconcurring in Senate Amendments Nos. 11, 20, 22, 23, 24, 28 and 29 to House Bill No. 1977, which motion prevailed.

Mr. Murphy moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate to resolve the differences between the House and Senate on House Bill No. 1977, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Murphy, Bragg, Robertson, King (Washington) and Naifeh as the Conference Committee on House Bill No. 1977.

INTRODUCTION OF RESOLUTION

House Joint Resolution No. 559--Relative to amending Constitution to authorize lotteries--By Johnson.

Mr. Johnson moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 559, which motion prevailed.

House Joint Resolution No. 559--Relative to amending Constitution to authorize lotteries.

Mr. Johnson moved that House Joint Resolution No. 559 be passed on first reading.

At the request of the sponsor, House Joint Resolution No. 559 was read by the Clerk.

Thereupon, as required by Article XI, Section 3, Constitution of Tennessee, House Joint Resolution No. 559 passed its first reading by the following vote:

Ayes	53
Noes	37

Representatives voting aye were: Anderson, Bell, Brewer, Chiles, Clark (Davidson), Covington, DeBerry, DePriest, Disspayne, Dixon, Duer, Ellis, Elsea, Gafford, Gaia, Gill, Hassell, Hudson, Hurley, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), Kisber, Love, McKinney, McNally, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Owen, Rhinehart, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Smith, Stallings, Tanner, Ussery, Webb, Wheeler, Whitson, Williams, Withers, Work, Yelton and Mr. Speaker McWherter--53.

Representatives voting no were: Atchley, Bewley, Bivens, Bragg, Buck, Byrd, Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Ford, Frensley, Harrill, Henry, Hillis, Huskey, Kelley, King (Washington), McAfee, Montgomery, Nance, Napier, Percy, Phillips, Robertson, Robinson (Hamilton), Shirley, Sir, Turner (Hamilton), Turner (Shelby), Wallace, Wix, Wolfe and Wood--37.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 94

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

INTRODUCTION OF BILLS

House Bill No. 2306--To make certain provisions, Board of Commissioners, Hamilton County--By Elsea, Robinson (Hamilton), Turner (Hamilton), McAfee, Starnes and Wood.

Passed first consideration.

House Bill No. 2307--To make certain provisions, Hamilton County Executive--By Elsea, Robinson (Hamilton), Turner (Hamilton), McAfee, Starnes and Wood.

Passed first consideration.

House Bill No. 2309--To amend Charter, Humboldt--By Davis (Gibson).

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2304--To amend Charter, Alexandria.

Passed second consideration and held without reference.

House Bill No. 2305--To define purchasing duties, County Judge, Roane County.

Passed second consideration and held without reference.

House Bill No. 2308--To amend Road Law, Haywood County.

Passed second consideration and held without reference.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1696--To make certain provisions, emergency vehicles.

The Senate lifted tabling motion, reconsidered passage of bill, reconsidered adoption of Amendment No. 6, withdrew Amendment No. 6, then repassed the bill on third and final consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1730--To make certain provisions, fire protection sprinkler systems.

The Senate concurred in House Amendments No. 2 and nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

189--Relative to study, compensation, community college instructors; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1721--To create board of occupational and physical therapy examiners; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

2030--To create Tennessee Claims Commission.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1699--To make certain provisions, certain public records.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

18--To prohibit drug paraphernalia.

The Senate concurred in House Amendments Nos. 1 and 4 and nonconcurred in House Amendments Nos. 2, 3, 5 and 6.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1386--To make certain provisions, offense of aggravated assault.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

688--To amend Title 55, Chapter 8, Code.

The Senate nonconcurred in House Amendments Nos. 1 and 2.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

2158--To clarify eligibility, release classification status.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

145--To make certain provisions, solid waste disposal; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos:

15--Relative to study, licensure of motor vehicle operators;

136--To continue board of dispensing opticians;

177--Relative to study, services for mentally retarded; all amended and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1638, 1967, 2141 and 2177; and

find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

2297--To regulate Board of Utility Commissioners, Jackson; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 2059, 2079, 2200 and 2201; and House Joint Resolutions Nos. 282, 293, 294, 319, 418, 512, 516, 517, 518, 519, 520, 521, 522, 524, 525, 526, 529, 530, 533, 534, 535, 536, 539, 541, 545, 546 and 560; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 2059, 2079, 2200 and 2201; House Joint Resolutions Nos. 282, 293, 294, 319, 418, 512, 516, 517, 518, 519, 520, 521, 522, 524, 525, 526, 529, 530, 533, 534, 535, 536, 539, 541, 545, 546 and 560.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 1362; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1815, 1858, 1877, 2140, 2170 and

2297; and House Resolutions Nos. 13, 138, 142, 147 and 149; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 1815, 1858, 1877, 2140, 2170 and 2297; House Resolutions Nos. 13, 138, 142, 147 and 149; and Senate Bill No. 1362.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1877; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

BY CONSENT

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 567--Relative to memory, son of Mr. and Mrs. Doyle Rogers--By Robertson.

House Joint Resolution No. 568--Relative to honoring Tau Kappa Epsilon, Tennessee Tech--By Moore (Sullivan) and Bivens.

House Resolution No. 152--Relative to commending Kathy Gibson--By Naifeh and Mr. Speaker McWherter.

House Joint Resolution No. 569--Relative to commending David Magnum--By Hillis, DePriest, Johnson, Owen and Pickering.

House Resolution No. 153--Relative to honoring Coach Bill Derrick--By Murphy.

House Joint Resolution No. 572--Relative to commending Roger Jamerson--By Hudson and Ford.

House Joint Resolution No. 574--Relative to honoring Representative W. Townsend Anderson--By Hudson, Ford, Henry, Huskey, McNally and Mr. Speaker McWherter.

House Joint Resolution No. 575--Relative to honoring Toy F. Reid--By Huskey.

House Resolution No. 156--Relative to honoring Bill Haney--By Davis (Gibson).

House Joint Resolution No. 576--Relative to honoring Johnson City Press-Chronicle and Carl A. Jones--By King (Washington) and Robinson (Washington).

The Speaker announced that all congratulating resolutions would be placed on the Consent Calendar for tomorrow.

House Joint Resolution No. 577--Relative to commending Crime Stoppers of Memphis, Inc--By Williams.

House Joint Resolution No. 578--Relative to commending Councilman Bob James, Memphis--By Williams.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Wednesday, May 23, 1984: Senate Joint Resolutions Nos. 224, 254, 255; House Joint Resolutions Nos. 576, 568, 569; House Resolution No. 152; House Bills Nos. 2308, 2305 and 2304; House Resolutions Nos. 153, 156, and House Joint Resolutions Nos. 567, 572, 574, 575, 577 and 578.

GILL, Chairman.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1445--To provide for allocation of sales tax;

1784--To require public buildings be accessible to handicapped;

1862--To make certain provisions, highway construction contracts;

2093--To establish certification for professional counselors;

2203--To prohibit fireworks, Knox County; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

305--Relative to study, health care for elderly;

503--Relative to study, organization of General Assembly; both concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1298--To regulate Licensing Board of Healing Arts.

The Speaker appointed a Conference Committee composed of Senators Hicks, Richardson and Atchley to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 1298.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1977--To redistrict state trial court system.

The Speaker appointed a Conference Committee composed of Senators Rucker, Ortwein, Hamilton, Person, Koella and Cohen to confer with a like Committee from the House to resolve the differences of the two bodies on House Bill No. 1977.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1622--To create board of social workers;

1975--To provide for seizure, certain contraband property; both substituted for Senate Bills on same subject, both amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 846, 1585, 1654, 1965, 2294, 2298, 2299, 2300, 2301, 2302 and 2303; and House Joint Resolutions Nos. 289, 401, 408, 497, 523, 547, 549, 551, 552, 553, 554, 556, 557, 558, 562, 563, 566, 571 and 573; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1638--Davis (Gibson), Clark (Sumner)

House Bill No. 1794--Rhinehart

House Bill No. 1965--Davis (Gibson)

House Bill No. 2087--Clark (Sumner)

House Bill No. 2177--Hurley, Severance

House Joint Resolution No. 551--Kisber

House Joint Resolution No. 554--Kisber

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 1795; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

60--Relative to study, vocational education programs;

167--Relative to implementing Educational Television Network Act;

214--Relative to study services for the blind;

561--Relative to honoring Major Jesse Roberts; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

435--Relative to study noninstructional tasks, public schools, substituted for Senate Joint Resolution on same subject and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill No. 1877; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1398--To regulate purchasing, Savannah; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

2295--To levy tax on lodgings, Henry County; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. Naifeh, the House adjourned until 9:00 a.m. tomorrow.